

ESTTA Tracking number: **ESTTA603687**Filing date: **05/12/2014**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Pelikan Vertriebsgesellschaft mbH & Co. KG
Granted to Date of previous extension	05/14/2014
Address	Werftstrasse 9 Hannover, 30163 GERMANY
Attorney information	Joseph R. Dreitler Dreitler True LLC 137 E. State St. Columbus, OH 43215 UNITED STATES jdreitler@ustrademarklawyer.com, mtrue@ustrademarklawyer.com, ttro-fino@ustrademarklawyer.com Phone:614-545-6354

Applicant Information

Application No	85830217	Publication date	01/14/2014
Opposition Filing Date	05/12/2014	Opposition Period Ends	05/14/2014
Applicant	NEW ORLEANS PELICANS NBA, LLC 1250 POYDRAS STREET NEW ORLEANS, LA 70113 UNITED STATES		

Goods/Services Affected by Opposition

Class 016. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Publications and printed matter, namely: basketball trading cards, trading cards, stickers, decals, commemorative basketball stamps, collectible cardboard trading discs, memo boards, clipboards, papercoasters, post cards, place mats of paper, facial tissues, note cards, memo pads, note pads, ball point pens, crayons, felt tip markers, rubber bands, pencils, pen and paper holders, desktop documentstands, scrap books, rubber stamps, drafting rulers, paper banners and flags, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs, posters, calendars, bumper stickers, book covers, bookmarks, wrapping paper, children's activity books, children's coloring books; statistical books, guide books, and reference books, all in the field of basketball; magazines in the field of basketball, catalogs in the field of basketball, commemorative game and souvenir programs related to basketball, paper pennants, stationery, stationery-type portfolios, post cards, invitation cards, printed certificates, greeting cards, Christmascards, holiday cards, informational statistical sheets for basketball topics; newsletters, brochures, pamphlets, and game schedules in the field of basketball; bank checks, check book covers, check book holders, comic books; non-magnetic credit cards and telephone calling cards not magnetically encoded

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	651749	Application Date	11/22/1955
Registration Date	09/17/1957	Foreign Priority Date	NONE
Word Mark	PELIKAN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 0 First Use In Commerce: 0 FOUNTAIN PENS, FOUNTAIN PENCILS, PRESSURE OPERATED PENCILS, PENS FOR INDIA INKS, ERASERS, PEN NIBS, FOUNTAIN PEN STANDS, INK FEEDERS, STEEL NIBS, GOLD NIBS, ATTACHMENTS AND CLIPS FOR PENS AND PENCILS, [SPONGES FOR WETTING DRY PEN NIBS, ERASING KNIVES] AND INK ERADICATORS, AND SPARE PARTS FOR THE ABOVE		

U.S. Registration No.	1367549	Application Date	10/22/1984
Registration Date	10/29/1985	Foreign Priority Date	NONE
Word Mark	PELIKAN 4001		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1930/01/02 First Use In Commerce: 1976/03/01 INK		


U.S. Registration No.	1422829	Application Date	06/10/1986
Registration Date	12/30/1986	Foreign Priority Date	NONE
Word Mark	PELIKAN TOLEDO		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 016. First use: First Use: 0 First Use In Commerce: 0 WRITING INSTRUMENTS		
U.S. Registration No.	1618675	Application Date	09/23/1987
Registration Date	10/23/1990	Foreign Priority Date	NONE
Word Mark	PELIKAN		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 001. First use: First Use: 0 First Use In Commerce: 0 [DUPLICATING FLUID, TONERS, DRY INK AND DEVELOPERS FOR LASER PRINTERS AND COPIERS, ADHESIVES AND GLUES FOR INDUSTRIAL PURPOSES]</p> <p>Class 002. First use: First Use: 0 First Use In Commerce: 0 PAINTS, NAMELY, PRINTING INKS, PRINTER'S INKS, ARTIST'S PAINTS FOR HOBBY PURPOSES, VARNISHES, LACQUERS, THINNERS, RUST INHIBITORS, WOOD PRESERVATIVES, COLORING AGENTS, WOOD STAINS, FOIL METALS AND POWDERED METALS FOR PAINTERS AND DECORATORS</p> <p>Class 009. First use: First Use: 0 First Use In Commerce: 0 [PROJECTORS, RECORDED AUDIO AND VIDEO CASSETTES FOR ENTERTAINMENT, INSTRUCTIONAL AND EDUCATIONAL PURPOSES, MAGNETIC RECORDING TAPE FOR SOUND AND PICTURE, DISKETTES, PHONOGRAPH RECORDS, BLANK VIDEO AND AUDIO CASSETTES, POCKET COMPUTERS, DESK-TOP PERSONAL AND HOME COMPUTERS, COMPUTER PROGRAMS FOR USE IN THE PRINTING AND GRAPHICS INDUSTRY, FILM SHEETS FOR OVERHEAD PROJECTORS, SCREENS AND BOARDS, AND POSTAGE METERS]</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 PAPER TOWELS, PAPER NAPKINS, FILTER PAPER, PAPER HANDKERCHIEFS, CORRUGATED CONTAINERS, CARDBOARD CONTAINERS, PAPER CONTAINERS, CARBON AND COPYING PAPER, COLOR REACTION PAPER FOR OFFICE PURPOSES, THERMAL PRINTING PAPER, WRITING-PAPER AND ENVELOPES, UNPRINTED NOTEBOOKS FOR CLASSROOM EXERCISES, PAPER BLOCKS FOR DRAWING AND PAINTING, GLOSSY PAPER, TRANSPARENT PAPER, METAL-COATED PAPERS; PRINTED PRODUCTS, NAMELY CALENDARS; ARTISTS' MATERIALS, NAMELY, STENCILS, FINE AND BROAD FELT-TIPPED PENS, MARKERS, WRITING CASES, STUDENT'S BOXES FOR DESK-TOPS AND PENCILS, CASES FOR WRITING UTENSILS, BAGS AND BOXES FOR WRITING UTENSILS, PINBOARDS AND PINBOARD PINS; INKS, NAMELY, INDIA INKS, CHINESE INKS, DRAWING INKS, FOUNTAIN-PEN INKS, WRITING INKS; INKS FOR MARKING LINEN, BALLPOINT INKS, ENDORSING INKS, CHECK INKS, RECORDING INKS, WHITE INKS, GOLD AND SILVER INKS, INK FOR INK-JET PRINTERS, AND DUPLICATING INK; WRITING CARTRIDGES, INK CARTRIDGES, INK STANDS, PERMANENT STENCILS, STENCILS, WRITING STYLUS AND WRITING PLATES FOR STENCILS, SPIRIT-CARBON SETS AND SHEETS, HAND-OPERATED STAMPS, HAND-OPERATED AUTOMATIC</p>		

	<p>STAMPS FOR PRINTING PURPOSES, ERASERS, ERASING PENCILS, RUBBER ERASERS, INK ERASERS FOR REMOVING INK, BLACKBOARD CHALKS, SIGNING CHALKS, WAX CRAYONS, WATER COLOR PAINT SETS HAVING BLOCKS OF WATER COLOR PAINTS ARRANGED IN A BOX, WATER BOXES FOR WATER COLOR PAINT SETS, ARTISTS' AND STUDENTS' PAINT BRUSHES; ARTISTS' SUPPLIES, NAMELY, PASTEL CHALKS, CHARCOAL, PAPER WIPERS, FIXATIVES FOR PAINTING AND DRAWING, TYPEWRITER RIBBONS, INK ROLLERS, THERMAL PRINTING TAPES, HIGH SPEED RIBBONS FOR PRINTERS, TYPEWRITER RIBBON CASSETTES, CORRECTION PAPER, FOILS FOR TYPING PRINTING AND HAND WRITING CORRECTIONS, RIBBONS FOR TYPING AND PRINTING CORRECTIONS, CORRECTION LIQUIDS, CORRECTION PENCILS AND CORRECTION LACQUERS, INK PADS, STAMPING INKS, SEALING WAX, MODELING CLAY, GLUES AND ADHESIVES FOR STATIONERY AS WELL AS FOR HOUSEHOLD AND HOBBY PURPOSES, GLUE STICKS, DISPENSING BOTTLES FOR ADHESIVE, HOLE PUNCHERS AND STAPLERS, STAPLE REMOVERS, DRAWING BOARD PINS, OFFICE EQUIPMENT, NAMELY, PENCIL SHARPENERS, HOLE PUNCHERS, STAPLERS LETTER OPENERS, AND TYPEWRITERS; RUBBER BANDS FOR OFFICE AND HOUSEHOLD PURPOSES, TERRESTRIAL GLOBES, BLACKBOARD CHALKS, FILING SUPPLIES, NAMELY, PAPER FILES, PAPER FOLDERS, PAPER COVERS, PAPER TABS, AND TRANSPARENT DOCUMENT COVERS, BAG AND FOILS FOR PACKAGING</p> <p>Class 028. First use: First Use: 0 First Use In Commerce: 0</p> <p>[BOARD GAMES, VIDEO GAMES, PUZZLES, GYM AND SPORT ARTICLES, NAMELY, TENNIS RACKETS; TABLE TENNIS SETS, NAMELY, TABLE TENNIS RACKETS; TABLE TENNIS NETS AND SUPPORTS, AND TABLE TENNIS BALLS, AND NON-ELECTRIC CHRISTMAS TREE DECORATIONS]</p>
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U.S. Registration No.	1711633	Application Date	06/25/1991
Registration Date	09/01/1992	Foreign Priority Date	NONE
Word Mark	PELIKAN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1977/04/15 First Use In Commerce: 1977/04/15 writing goods and utensils; namely, fountain pens, ballpoint pens, refill pencils[, and markers]		

U.S. Registration No.	3619488	Application Date	06/01/2007
Registration Date	05/12/2009	Foreign Priority Date	NONE
Word Mark	PELIKAN		

Design Mark	Pelikan 
Description of Mark	NONE
Goods/Services	<p>Class 002. First use: First Use: 0 First Use In Commerce: 0 Paints, colorants for use in the manufacture of paint, namely, bronze powder, printing ink, varnishes, fixatives, namely, spray varnish for charcoal drawings, silver paint, lacquers, metals in powderform for artists, toners for photocopiers, whites in the nature of paints</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0 Pencils, pencil leads, office requisites, except furniture, artists water colorsau- cers, paint boxes for use in school, pen cases, correcting fluids for the correction of errors in hand-written, typed or printed documents, stands for pens and pen- cils, adhesive tapes for stationery or household purposes, carbon paper, model- ing materials for use by children in play and for hobby and decorative purposes, stationery, paint brushes, rubber erasers, pen nibs for fountain pens, fountain pen nibs of gold, writing instruments, namely, fountain pens, cartridge pens, roller balls, mechanical pencils, ball point pens, fineliners, fiber-tipped pens, writ- ing grips, writing materials namely, writing paper, notebooks, blotting paper, en- velopes, sealing wax, stamp pads, endorsing ink, fountain pen ink, Indian ink and duplicating and printing ink, drawing materials, namely, pastels and cray- ons, wax crayons, charcoal and chalks, paper stumps, drawing blocks</p>

Attachments	73504901#TMSN.gif(bytes) 73685871#TMSN.gif(bytes) 74179513#TMSN.jpeg(bytes) 79043237#TMSN.jpeg(bytes) Pelikan v New Orleans Pelicans - Notice of Opposition - Complete.pdf(258670 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Joseph R. Dreitler/
Name	Joseph R. Dreitler
Date	05/12/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF: TRADEMARK APPLICATION Serial No. 85830217 – NEW
ORLEANS PELICANS & design in class 16

DATE OF PUBLICATION: January 14, 2014

Pelikan Vertriebsgesellschaft mbH & Co. KG,

Opposer,

v.

New Orleans Pelicans NBA, LLC,

Applicant.

Opposition No.:_____

NOTICE OF OPPOSITION

Pelikan Vertriebsgesellschaft mbH & Co. KG (hereinafter "Opposer" or "Pelikan"), a corporation organized under the laws of Germany, having offices at Werftstrasse 9, 30163 Hannover, Germany, believes that it will be damaged by the registration of U.S. Serial No. 85830217 – NEW ORLEANS PELICANS for “Publications and printed matter, namely basketball trading cards, trading cards, stickers, decals, commemorative basketball stamps, collectible cardboard trading discs, memo boards, clipboards, paper coasters, post cards, place mats of paper, facial tissues, note cards, memo pads, note pads, ball point pens, crayons, felt tip markers, rubber bands, pencils, pen and paper holders, desktop document stands, scrap books, rubber stamps, drafting rulers, paper banners and flags, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs, posters, calendars, bumper stickers, book covers, bookmarks, wrapping paper, children's activity books,

children's coloring books; statistical books, guide books, and reference books, all in the field of basketball; magazines in the field of basketball, catalogs in the field of basketball, commemorative game and souvenir programs related to basketball, paper pennants, stationery, stationery-type portfolios, post cards, invitation cards, printed certificates, greeting cards, Christmas cards, holiday cards, informational statistical sheets for basketball topics; newsletters, brochures, pamphlets, and game schedules in the field of basketball; bank checks, check book covers, check book holders, comic books; non-magnetic credit cards and telephone calling cards not magnetically encoded” by New Orleans Pelicans NBA, LLC, a limited liability company organized under the laws of North Carolina – and hereby opposes registration of the same under the provisions of *Section 13 of the Trademark Act of July 5, 1946, 15 U.S.C. § 1063*. As grounds therefor, it is alleged that:

1. PELIKAN and its predecessors in business, (all hereinafter referred to as "Opposer"), since at least as early as 1838 (and 1955 in the United States) and continuing to the present, have been engaged in the business of manufacturing, distributing and selling writing utensils, paper products and associated products containing the trademark PELIKAN. PELIKAN brand writing instruments are sold throughout the world and the PELIKAN mark is truly a global brand. The trademark PELIKAN has become famous in connection with writing instruments and accessories used with writing instruments.

2. Pelikan and its related companies and affiliates have, since long prior to January 23, 2013, Applicant’s constructive use filing date of NEW ORLEANS PELICANS for “Publications and printed matter, namely basketball trading cards, trading cards, stickers, decals, commemorative basketball stamps, collectible cardboard trading discs, memo boards, clipboards, paper coasters, post cards, place mats of paper, facial tissues, note cards, memo pads, note pads,

ball point pens, crayons, felt tip markers, rubber bands, pencils, pen and paper holders, desktop document stands, scrap books, rubber stamps, drafting rulers, paper banners and flags, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs, posters, calendars, bumper stickers, book covers, bookmarks, wrapping paper, children's activity books, children's coloring books; statistical books, guide books, and reference books, all in the field of basketball; magazines in the field of basketball, catalogs in the field of basketball, commemorative game and souvenir programs related to basketball, paper pennants, stationery, stationery-type portfolios, post cards, invitation cards, printed certificates, greeting cards, Christmas cards, holiday cards, informational statistical sheets for basketball topics; newsletters, brochures, pamphlets, and game schedules in the field of basketball; bank checks, check book covers, check book holders, comic books; non-magnetic credit cards and telephone calling cards not magnetically encoded”, been engaged in the offering of a wide variety of writing instruments, paper products and office supplies under the mark PELIKAN. Pelikan and its various related and affiliated entities shall hereafter be collectively referred to as “Opposer” or “Pelikan”.

3. Pelikan is a well-known manufacturer, distributor, retailer and on-line retailer of writing utensils, paper products and associated products, among other things, all of which Pelikan distributes around the world under the PELIKAN® trademark. Pelikan has promoted and sold writing instruments under its well-known and famous PELIKAN® trademark for over 175 years internationally and for almost 60 years in the United States. Pelikan has built a large and successful business in the United States under the PELIKAN® trademark. For example, please see Pelikan’s website at <http://www.pelikan.com>.

4. Pelikan owns numerous U.S. registrations for its well-known and famous PELIKAN® trademark for a wide variety of writing instruments and office supplies in International Class 16, which are identified below:

Trademark	Status	Goods/Services
PELIKAN SN:71698747 RN: 651749	Registered: September 17, 1957	(Int'l Class 16) Fountain pens, fountain pencils, pressure operated pencils, pens for India inks, erasers, pen nibs, fountain pen stands, ink feeders, steel nibs, gold nibs, attachments and clips for pens and pencils, ink eradicators, and spare parts for the above
PELIKAN 4001 & design SN: 73504901 RN: 1367549	Registered: October 29, 1985	(Int'l Class 16) Ink
PELIKAN TOLEDO SN: 73603495 RN: 1422829	Registered: December 30, 1986	(Int'l Class 16) Writing instruments
PELIKAN & design SN: 73685871 RN: 1618675	Registered: October 23, 1990	(Int'l Class 16) Paper towels, paper napkins, filter paper, paper handkerchiefs, corrugated containers, cardboard containers, paper containers, carbon and copying paper, color reaction paper for office purposes, thermal printing paper, writing-paper and envelopes, unprinted notebooks for classroom exercises, paper blocks for drawing and painting, glossy paper, transparent paper, metal-coated papers; printed products, namely calendars; artists' materials, namely, stencils, fine and broad felt-tipped pens, markers, writing cases, student's boxes for desk-tops and pencils, cases for writing utensils, bags and boxes for writing utensils, pinboards and pinboard pins; inks, namely, India inks, Chinese inks, drawing inks, fountain-pen inks, writing inks; inks for marking linen, ballpoint inks, endorsing inks, check inks, recording inks, white inks, gold and silver inks, ink for ink-jet printers, and duplicating ink; writing cartridges, ink cartridges, inkstands, permanent stencils, stencils, writing stylus and writing plates for stencils, spirit-carbon sets and sheets, hand-operated stamps, hand-operated automatic stamps for printing purposes, erasers, erasing pencils, rubber erasers, ink erasers for removing ink, blackboard chalks, signing chalks, wax crayons, water color paint sets having blocks of water color paints arranged in a box, water boxes for water color paint sets, artists' and students' paint brushes; artists' supplies, namely, pastel chalks, charcoal, paper wipers, fixatives for painting and drawing, typewriter ribbons, ink rollers, thermal printing tapes, high speed ribbons for printers, typewriter ribbon cassettes, correction paper, foils for typing printing and hand writing corrections, ribbons for typing and printing corrections, correction liquids, correction pencils and correction lacquers, ink pads, stamping inks, sealing wax, modeling clay, glues and adhesives for stationery as well as for household and hobby purposes, glue sticks, dispensing bottles for adhesive, hole punchers and staplers, staple removers, drawing board pins, office equipment, namely, pencil sharpeners, hole punchers, staplers, letter openers, and typewriters; rubber bands for office and household purposes, terrestrial globes, blackboard chalks, filing supplies, namely, paper files, paper folders, paper covers, paper tabs, and transparent document covers, bag and foils for packaging

PELIKAN & design SN: 74179513 RN: 1711633	Registered: September 1, 1992	(Int'l Class 16) Writing goods and utensils; namely, fountain pens, ballpoint pens, refill pencils
PELIKAN & design SN: 79043237 RN: 3619488	Registered: May 12, 2009	(Int'l Class 16) Pencils, pencil leads, office requisites, except furniture, artists water color saucers, paint boxes for use in school, pen cases, correcting fluids for the correction of errors in hand-written, typed or printed documents, stands for pens and pencils, adhesive tapes for stationery or household purposes, carbon paper, modeling materials for use by children in play and for hobby and decorative purposes, stationery, paint brushes, rubber erasers, pen nibs for fountain pens, fountain pen nibs of gold, writing instruments, namely, fountain pens, cartridge pens, roller balls, mechanical pencils, ball point pens, fineliners, fiber-tipped pens, writing grips, writing materials namely, writing paper, notebooks, blotting paper, envelopes, sealing wax, stamp pads, endorsing ink, fountain pen ink, Indian ink and duplicating and printing ink, drawing materials, namely, pastels and crayons, wax crayons, charcoal and chalks, paper stumps, drawing blocks

Copies of current printouts from the USPTO's TESS database showing the current status and title of these registrations (collectively, the "Pelikan Marks") are attached to this Notice of Opposition as Exhibit A.

5. The certificates of registration identified in paragraph 4 are valid and subsisting and record title is in Opposer; the certificates of registration are *prima facie* evidence of the validity of the registrations, the Registrant's ownership of the marks, and of the Registrant's exclusive right to use the marks in commerce in connection with the goods specified in the certificates of registration under the provisions of 15 U.S.C. § 1057(b) and constructive notice of the Registrant's claim of ownership under 15 U.S.C. § 1072. Registration Nos. 651749, 1367549, 1422829, 1618675, and 1711633 are incontestable, which provides conclusive evidence of their validity under 15 U.S.C. § 1115(b).

6. On January 23, 2013, Applicant filed application Serial No. 85830217 – NEW ORLEANS PELICANS – for "Publications and printed matter, namely basketball trading cards,

trading cards, stickers, decals, commemorative basketball stamps, collectible cardboard trading discs, memo boards, clipboards, paper coasters, post cards, place mats of paper, facial tissues, note cards, memo pads, note pads, ball point pens, crayons, felt tip markers, rubber bands, pencils, pen and paper holders, desktop document stands, scrap books, rubber stamps, drafting rulers, paper banners and flags, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs, posters, calendars, bumper stickers, book covers, bookmarks, wrapping paper, children's activity books, children's coloring books; statistical books, guide books, and reference books, all in the field of basketball; magazines in the field of basketball, catalogs in the field of basketball, commemorative game and souvenir programs related to basketball, paper pennants, stationery, stationery-type portfolios, post cards, invitation cards, printed certificates, greeting cards, Christmas cards, holiday cards, informational statistical sheets for basketball topics; newsletters, brochures, pamphlets, and game schedules in the field of basketball; bank checks, check book covers, check book holders, comic books; non-magnetic credit cards and telephone calling cards not magnetically encoded”.

7. The goods to be offered under Applicant’s NEW ORLEANS PELICANS mark in Class 16 are virtually identical and in some cases are identical to Opposer’s goods sold under its Pelikan Marks.

8. Upon information and belief, the goods for which Applicant seeks to register the designation NEW ORLEANS PELICANS will involve offering related goods and in some cases identical goods under a very similar mark to the same persons to whom Opposer provides such goods under its Pelikan Marks.

9. There are no restrictions in Applicant's channels of distribution of its products, and thus Applicant's goods will be marketed, promoted and offered through the same marketing channels as are the goods provided by Opposer under its Pelikan Marks.

10. The designation NEW ORLEANS PELICANS which the Applicant seeks to register is very similar to Opposer's famous Pelikan Marks.

11. The Opposer, since long prior to Applicant's constructive use filing date of NEW ORLEANS PELICANS, has spent, and continues to spend, large sums of money in the promotion and advertisement of its various goods identified and distinguished by its Pelikan Marks, and by reason of such promotion and advertising and the high quality of its products carrying the Opposer's trademarks, Opposer now enjoys a valuable goodwill and an enviable and famous reputation with respect to its trademarks and its goods.

12. The distinctive trademark PELIKAN and other variations owned by Opposer have attained widespread public recognition and acquired great value as an identification of the source of goods in or by Opposer for almost 60 years of continuous and widespread use in the U.S. on identical products and the expenditure of significant sums of dollars in advertising and promoting Opposer's Pelikan Marks to its customers and potential customers; and the said Pelikan Marks distinguish Opposer's goods from the goods of others.

13. The designation NEW ORLEANS PELICANS which Applicant seeks to register is nothing more than the plural of the word "Pelican", which is phonetically and denotatively identical to Opposer's PELIKAN® trademark, preceded by the merely geographically descriptive words "New Orleans". Consumers will assume NEW ORLEANS PELICANS for the goods sought to be registered is simply a new and/or specific line of PELIKAN products. Potential customers who hear NEW ORLEANS PELICANS when used in connection with

goods identical to those offered by Opposer under the Pelikan Marks will think that Applicant and/or its NEW ORLEANS PELICANS goods are connected with or sponsored by Opposer.

14. The use, promotion and registration of NEW ORLEANS PELICANS by the Applicant, a direct competitor of Opposer, will cause customers throughout the United States, both prior to sale and as a result of post-sale confusion, to assume, erroneously, and to be confused, misled and/or deceived, that the Applicant's NEW ORLEANS PELICANS goods are affiliated with, endorsed or sponsored by Opposer, all to the Opposer's irreparable damage under Section 2(d) of the Lanham Act.

15. Opposer's PELIKAN® trademark is famous under the Lanham Act.

16. For over a century Pelikan has devoted substantial resources to the promotion and protection of its Pelikan Marks and associated products such that, currently, the PELIKAN trademarks have become famous within the meaning of 15 U.S.C. § 1125(c).

17. For over a century Pelikan has produced writing utensils of the highest quality, such that, currently many PELIKAN writing instruments are considered to be collector's items.

18. On information and belief, any writing instrument, paper product or other related goods of the Applicant bearing the NEW ORLEANS PELICANS mark will be of an inferior quality to that which the consumers have come to expect from PELIKAN. In addition, registration of any term containing the word "Pelicans" for the same goods as that of Opposer will dilute the distinctiveness of Opposer's famous mark. Such uses will dilute the PELIKAN marks within the meaning of the Anti-Dilution Act, 15 U.S.C. §1125; and the application is therefore not registrable under Section 13 of the Trademark Act of 1946 (15 U.S.C. §1063).

19. For the reasons set forth in paragraphs 1 through 18, Opposer believes, and in so believing asserts, that the goodwill in its distinctive Pelikan Marks will be damaged under

Section 2(d) and will also be diluted under *Section 43(c)*, and that the Applicant should be denied the registration of the NEW ORLEANS PELICANS mark for the goods for which it has filed application Serial No. 85830217 – NEW ORLEANS PELICANS.

20. By reason of the foregoing, Applicant's application of NEW ORLEANS PELICANS for “Publications and printed matter, namely basketball trading cards, trading cards, stickers, decals, commemorative basketball stamps, collectible cardboard trading discs, memo boards, clipboards, paper coasters, post cards, place mats of paper, facial tissues, note cards, memo pads, note pads, ball point pens, crayons, felt tip markers, rubber bands, pencils, pen and paper holders, desktop document stands, scrap books, rubber stamps, drafting rulers, paper banners and flags, 3-ring binders, stationery folders, wirebound notebooks, portfolio notebooks, unmounted and mounted photographs, posters, calendars, bumper stickers, book covers, bookmarks, wrapping paper, children's activity books, children's coloring books; statistical books, guide books, and reference books, all in the field of basketball; magazines in the field of basketball, catalogs in the field of basketball, commemorative game and souvenir programs related to basketball, paper pennants, stationery, stationery-type portfolios, post cards, invitation cards, printed certificates, greeting cards, Christmas cards, holiday cards, informational statistical sheets for basketball topics; newsletters, brochures, pamphlets, and game schedules in the field of basketball; bank checks, check book covers, check book holders, comic books; non-magnetic credit cards and telephone calling cards not magnetically encoded” is likely to cause confusion with and dilute Opposer's marks for the identical and related goods, and thus is not registrable under Section 13 of the Trademark Act of 1946 (15 U.S.C. § 1063).

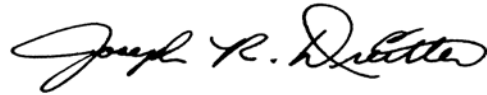
WHEREFORE, Opposer prays that this Opposition be sustained and that application Serial No. 85830217 – NEW ORLEANS PELICANS – be refused registration.

The fee of \$300.00 to oppose this application as provided by *Sections 13 and 31 of the Trademark Act of 1946* is paid by charging Opposer's attorneys' credit card.

Please recognize Joseph R. Dreitler and Mary R. True, both members of the Bar of the State of Ohio, as its attorneys to prosecute this Notice of Opposition and to transact all business in the Patent and Trademark Office in connection herewith. Please address all communications to: Joseph R. Dreitler, c/o Dreitler True LLC, 137 E. State Street, Columbus, Ohio 43215.

Dated: May 12, 2014

Respectfully submitted,



Joseph R. Dreitler
Mary R. True
DREITLER TRUE LLC
137 E. STATE STREET
Columbus, Ohio 43215
Telephone: (614) 545-6354
jdreitler@ustrademarklawyer.com
mtrue@ustrademarklawyer.com

Attorneys for Opposer
Pelikan Vertriebsgesellschaft mbH & Co. KG

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Notice of Opposition was served via both email at IPGROUP@nba.com and First Class U.S. mail this 12th day of May, 2014, upon the following:

Anil V. George
NBA Properties, Inc.
Olympic Tower 645 Fifth Ave
Legal Dept Intellectual Property Group
New York, NY 10022

A handwritten signature in black ink, appearing to read "Joseph R. Quattrone". The signature is fluid and cursive, with the first name "Joseph" and last name "Quattrone" being clearly legible despite the stylized script.

Exhibit A

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Typed Drawing

Word Mark	PELIKAN
Translations	THE GERMAN WORD "PELIKAN" IS THE EQUIVALENT OF THE ENGLISH WORD "PELICAN."
Goods and Services	IC 016. US 037. G & S: FOUNTAIN PENS, FOUNTAIN PENCILS, PRESSURE OPERATED PENCILS, PENS FOR INDIA INKS, ERASERS, PEN NIBS, FOUNTAIN PEN STANDS, INK FEEDERS, STEEL NIBS, GOLD NIBS, ATTACHMENTS AND CLIPS FOR PENS AND PENCILS, [SPONGES FOR WETTING DRY PEN NIBS, ERASING KNIVES] AND INK ERADICATORS, AND SPARE PARTS FOR THE ABOVE
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	71698747
Filing Date	November 22, 1955
Current Basis	44E
Original Filing Basis	44E
Registration Number	0651749
Registration Date	September 17, 1957
Owner	(REGISTRANT) GUNTHER WAGNER CORPORATION FED REP GERMANY HANNOVER FED REP GERMANY (LAST LISTED OWNER) PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO. KG CORPORATION BY CHANGE OF NAME FROM FED REP GERMANY WERFTSTRASSE 9 30163 HANNOVER FED REP GERMANY
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Joseph R. Dreitler
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECTION 8(10-YR) 20070614.
Renewal	3RD RENEWAL 20070614

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Trademark Assignment Abstract of Title

Total Assignments: 5

Serial #: [71698747](#)

Filing Dt: 11/22/1955

Reg #: [651749](#)

Reg. Dt: 09/17/1957

Registrant: GUNTHER WAGNER

Mark: PELIKAN

Assignment: 1

Reel/ Frame: [0148/0283](#)

Recorded: 03/14/1967

Pages: 22

Conveyance: CHANGE OF NAME 19660721

Assignor: [WAGNER, GUNTHER](#)

Exec Dt: 09/26/1966

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [WAGNER, GUNTHER, PELIKAN WERKE](#)

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: RICHARD & GEIER

274 MADISON AVE.

274 MADISON AVE.

NEW YORK, NY 10017

Assignment: 2

Reel/ Frame: [0259/0141](#)

Recorded: 10/07/1974

Pages: 2

Conveyance: CERTIFIED CERTIFICATE BY A NOTARY, OF THE COMMERCIAL REGISTER OF HANOVER DISTRICT COURT, SHOWING CHANGES OF NAME ON DEC. 29, 1972, AND JAN. 22, 1973. (IN GERMAN WITH ENGLISH TRANSLATION ATTACHED).

Assignors: [GUNTHER WAGNER PELIKAN-WERKE -CHANGED TO-](#)

Exec Dt: 04/03/1973

Entity Type: UNKNOWN

Citizenship: NONE

[GUNTHER WAGNER VERWALTUNGSGESELLSCHAFT MIT BESCHRANKTER HAFTUNG-CHANGED TO-](#)

Exec Dt: 00/00/0000

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [GUNTHER WAGNER PELIKAN-WERKE GESELLSCHAFT MIT BESCHRANKTER HAFTUNG](#)

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: BEALL & JEFFERY

SUITE 703 W

AIR RIGHTS BLDG.

7315 WISCONSIN AVENUE

WASHINGTON, DC 20014

Assignment: 3

Reel/ Frame: [0345/0099](#)

Recorded: 03/27/1979

Pages: 4

Conveyance: CHANGE OF NAME 19780928

Assignor: [GUNTHER WAGNER PELIKAN-WERKE GESELLSCHAFT MIT BESCHRANKTER HAFTUNG](#)

Exec Dt: 10/20/1978

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: [PELIKAN AKTIENGESELLSCHAFT](#)

Entity Type: UNKNOWN

Citizenship: NONE

Correspondent: THOMAS E. BEALL JR.
STE. 805
CRYSTAL PLAZA ONE
2001 JEFFERSON DAVIS HWY.
ARLINGTON, VA 22202

Assignment: 4

Reel/ Frame: 0818/0918	Recorded: 10/11/1991	Pages: 6
Conveyance: NUNC PRO TUNC ASSIGNMENT 19890701		
Assignor: PELIKAN AKTIENGESELLSCHAFT	Exec Dt: 08/14/1991	
	Entity Type: JOINT STOCK COMPANY	
	Citizenship: GERMANY	
Assignee: PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO. KG	Entity Type: SEE DOCUMENT FOR DETAILS	
	Citizenship: NONE	

Correspondent: FAY, SHARPE, BEALL, ET AL
104 EAST HUME AVENUE
ALEXANDRIA, VA 22301

Assignment: 5

Reel/ Frame: 1629/0264	Recorded: 09/05/1997	Pages: 3
Conveyance: CHANGE OF NAME		
Assignor: PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO KGQ	Exec Dt: 06/06/1997	
	Entity Type: LIMITED PARTNERSHIP	
	Citizenship: NONE	
Assignee: PELIKAN VERTRIEBSGELLSCHAFT MBH & CO KG	Entity Type: LIMITED PARTNERSHIP	
PODBIELSKI STRASSE 141		
D-30177 HANNOVER,, GERMANY		

Correspondent: FAY, SHARPE, BEALL, ET AL.
GENE W. STOCKMAN
104 E. HUME AVE.
ALEXANDRIA, VA 22301

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Word Mark	PELIKAN 4001
Goods and Services	IC 016. US 011. G & S: INK. FIRST USE: 19300102. FIRST USE IN COMMERCE: 19760301
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	26.13.21 - Quadrilaterals that are completely or partially shaded 26.13.25 - Quadrilaterals with one or more curved sides
Serial Number	73504901
Filing Date	October 22, 1984
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	August 20, 1985
Registration Number	1367549
Registration Date	October 29, 1985
Owner	(REGISTRANT) PELIKAN AKTIENGESELLSCHAFT CORPORATION FED REP GERMANY 141 PODBIELSKISTRASSE HANNOVER FED REP GERMANY (LAST LISTED OWNER) PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO KG LIMITED PARTNERSHIP NOT PROVIDED PODBIELSKISTRASSE 141 30177 HANNOVER FED REP GERMANY
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	JOSEPH R. DREITLER
Prior Registrations	0421377;0421378;0612843;0629837;0638659;0651749;0781206;1084754;1084755; 1105129;1161849;1213083

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060412.
Renewal 1ST RENEWAL 20060412
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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [73504901](#)

Filing Dt: 10/22/1984

Reg #: [1367549](#)

Reg. Dt: 10/29/1985

Registrant: PELIKAN AKTIENGESELLSCHAFT

Mark: PELIKAN 4001

Assignment: 1

Reel/ Frame: [0818/0918](#)

Recorded: 10/11/1991

Pages: 6

Conveyance: NUNC PRO TUNC ASSIGNMENT 19890701

Assignor: [PELIKAN AKTIENGESELLSCHAFT](#)

Exec Dt: 08/14/1991

Entity Type: JOINT STOCK COMPANY

Citizenship: GERMANY

Entity Type: SEE DOCUMENT FOR DETAILS

Citizenship: NONE

Assignee: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO. KG](#)

Correspondent: FAY, SHARPE, BEALL, ET AL

104 EAST HUME AVENUE

ALEXANDRIA, VA 22301

Assignment: 2

Reel/ Frame: [1747/0768](#)

Recorded: 06/23/1998

Pages: 3

Conveyance: CERTIFIED ENGLISH TRANSLATION

Assignor: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO KG](#)

Exec Dt: 06/06/1997

Entity Type: LIMITED PARTNERSHIP

Citizenship: NONE

Entity Type: LIMITED PARTNERSHIP

Citizenship: NONE

Assignee: [PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO KG](#)

PODBIELSKI STRASSE 141

30177 HANNOVER, GERMANY

Correspondent: FAY, SHARPE, BEALL, FAGAN ET AL

JOHN R. MATTINGLY

104 E. HUME AVE.

ALEXANDRIA, VA 22301

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Typed Drawing

Word Mark	PELIKAN TOLEDO
Goods and Services	IC 016. US 037. G & S: WRITING INSTRUMENTS
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73603495
Filing Date	June 10, 1986
Current Basis	44E
Original Filing Basis	44E
Published for Opposition	October 7, 1986
Registration Number	1422829
Registration Date	December 30, 1986
Owner	(REGISTRANT) PELIKAN AKTIENGESELLSCHAFT CORPORATION FED REP GERMANY 141 PODBIELSKISTRASSE HANOVER FED REP GERMANY (LAST LISTED OWNER) PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO. KG LIMITED PARTNERSHIP ASSIGNEE OF FED REP GERMANY 141 PODBIELSKISTRASSE POSTFACH 103 D-3000 HANOVER 1 FED REP GERMANY
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Joseph R. Dreitler
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070203.

Text

Renewal 1ST RENEWAL 20070203

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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [73603495](#)

Filing Dt: 06/10/1986

Reg #: [1422829](#)

Reg. Dt: 12/30/1986

Registrant: PELIKAN AKTIENGESELLSCHAFT

Mark: PELIKAN TOLEDO

Assignment: 1

Reel/ Frame: [0818/0918](#)

Recorded: 10/11/1991

Pages: 6

Conveyance: NUNC PRO TUNC ASSIGNMENT 19890701

Assignor: [PELIKAN AKTIENGESELLSCHAFT](#)

Exec Dt: 08/14/1991

Entity Type: JOINT STOCK COMPANY

Citizenship: GERMANY

Entity Type: SEE DOCUMENT FOR DETAILS

Citizenship: NONE

Assignee: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO. KG](#)

Correspondent: FAY, SHARPE, BEALL, ET AL

104 EAST HUME AVENUE

ALEXANDRIA, VA 22301

Assignment: 2

Reel/ Frame: [1747/0768](#)

Recorded: 06/23/1998

Pages: 3

Conveyance: CERTIFIED ENGLISH TRANSLATION

Assignor: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO KG](#)

Exec Dt: 06/06/1997

Entity Type: LIMITED PARTNERSHIP

Citizenship: NONE

Entity Type: LIMITED PARTNERSHIP

Citizenship: NONE

Assignee: [PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO KG](#)

PODBIELSKI STRASSE 141

30177 HANNOVER, GERMANY

Correspondent: FAY, SHARPE, BEALL, FAGAN ET AL

JOHN R. MATTINGLY

104 E. HUME AVE.

ALEXANDRIA, VA 22301

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Word Mark

Goods and Services

PELIKAN

(CANCELLED) IC 001. US 001 005 006 010 026 046. G & S: [DUPLICATING FLUID, TONERS, DRY INK AND DEVELOPERS FOR LASER PRINTERS AND COPIERS, ADHESIVES AND GLUES FOR INDUSTRIAL PURPOSES]

IC 002. US 016. G & S: PAINTS, NAMELY, PRINTING INKS, PRINTER'S INKS, ARTIST'S PAINTS FOR HOBBY PURPOSES, VARNISHES, LACQUERS, THINNERS, RUST INHIBITORS, WOOD PRESERVATIVES, COLORING AGENTS, WOOD STAINS, FOIL METALS AND POWDERED METALS FOR PAINTERS AND DECORATORS

(CANCELLED) IC 009. US 021 023 026 036 038. G & S: [PROJECTORS, RECORDED AUDIO AND VIDEO CASSETTES FOR ENTERTAINMENT, INSTRUCTIONAL AND EDUCATIONAL PURPOSES, MAGNETIC RECORDING TAPE FOR SOUND AND PICTURE, DISKETTES, PHONOGRAPH RECORDS, BLANK VIDEO AND AUDIO CASSETTES, POCKET COMPUTERS, DESK-TOP PERSONAL AND HOME COMPUTERS, COMPUTER PROGRAMS FOR USE IN THE PRINTING AND GRAPHICS INDUSTRY, FILM SHEETS FOR OVERHEAD PROJECTORS, SCREENS AND BOARDS, AND POSTAGE METERS]

IC 016. US 001 002 005 011 022 023 037 038 042. G & S: PAPER TOWELS, PAPER NAPKINS, FILTER PAPER, PAPER HANDKERCHIEFS, CORRUGATED CONTAINERS, CARDBOARD CONTAINERS, PAPER CONTAINERS, CARBON AND COPYING PAPER, COLOR REACTION PAPER FOR OFFICE PURPOSES, THERMAL PRINTING PAPER, WRITING-PAPER AND ENVELOPES, UNPRINTED NOTEBOOKS FOR CLASSROOM EXERCISES, PAPER BLOCKS FOR DRAWING AND PAINTING, GLOSSY PAPER, TRANSPARENT PAPER, METAL-COATED PAPERS; PRINTED PRODUCTS, NAMELY CALENDARS; ARTISTS' MATERIALS, NAMELY, STENCILS, FINE AND BROAD FELT-TIPPED PENS, MARKERS, WRITING CASES, STUDENT'S BOXES FOR DESK-TOPS AND PENCILS, CASES FOR WRITING UTENSILS, BAGS AND BOXES FOR WRITING UTENSILS, PINBOARDS AND PINBOARD PINS; INKS, NAMELY, INDIA INKS, CHINESE INKS, DRAWING INKS, FOUNTAIN-PEN INKS, WRITING INKS; INKS FOR MARKING LINEN, BALLPOINT INKS, ENDORSING INKS, CHECK INKS, RECORDING INKS, WHITE INKS, GOLD AND SILVER INKS, INK FOR INK-JET PRINTERS, AND DUPLICATING INK; WRITING CARTRIDGES, INK CARTRIDGES, INKSTANDS, PERMANENT STENCILS, STENCILS, WRITING STYLUS AND WRITING PLATES FOR STENCILS, SPIRIT-CARBON SETS AND SHEETS, HAND-OPERATED STAMPS, HAND-OPERATED AUTOMATIC STAMPS FOR PRINTING PURPOSES, ERASERS, ERASING PENCILS, RUBBER ERASERS, INK ERASERS FOR REMOVING INK, BLACKBOARD CHALKS, SIGNING CHALKS, WAX CRAYONS, WATER COLOR PAINT SETS HAVING BLOCKS OF WATER COLOR PAINTS ARRANGED IN A BOX, WATER BOXES FOR WATER COLOR PAINT SETS, ARTISTS' AND STUDENTS' PAINT BRUSHES. ARTISTS' SUPPLIES,

NAMELY, PASTEL CHALKS, CHARCOAL, PAPER WIPERS, FIXATIVES FOR PAINTING AND DRAWING, TYPEWRITER RIBBONS, INK ROLLERS, THERMAL PRINTING TAPES, HIGH SPEED RIBBONS FOR PRINTERS, TYPEWRITER RIBBON CASSETTES, CORRECTION PAPER, FOILS FOR TYPING PRINTING AND HAND WRITING CORRECTIONS, RIBBONS FOR TYPING AND PRINTING CORRECTIONS, CORRECTION LIQUIDS, CORRECTION PENCILS AND CORRECTION LACQUERS, INK PADS, STAMPING INKS, SEALING WAX, MODELING CLAY, GLUES AND ADHESIVES FOR STATIONERY AS WELL AS FOR HOUSEHOLD AND HOBBY PURPOSES, GLUE STICKS, DISPENSING BOTTLES FOR ADHESIVE, HOLE PUNCHERS AND STAPLERS, STAPLE REMOVERS, DRAWING BOARD PINS, OFFICE EQUIPMENT, NAMELY, PENCIL SHARPENERS, HOLE PUNCHERS, STAPLERS LETTER OPENERS, AND TYPEWRITERS; RUBBER BANDS FOR OFFICE AND HOUSEHOLD PURPOSES, TERRESTIAL GLOBES, BLACKBOARD CHALKS, FILING SUPPLIES, NAMELY, PAPER FILES, PAPER FOLDERS, PAPER COVERS, PAPER TABS, AND TRANSPARENT DOCUMENT COVERS, BAG AND FOILS FOR PACKAGING

(CANCELLED) IC 028. US 022 023 038 050. G & S: [BOARD GAMES, VIDEO GAMES, PUZZLES, GYM AND SPORT ARTICLES, NAMELY, TENNIS RACKETS; TABLE TENNIS SETS, NAMELY, TABLE TENNIS RACKETS; TABLE TENNIS NETS AND SUPPORTS, AND TABLE TENNIS BALLS, AND NON-ELECTRIC CHRISTMAS TREE DECORATIONS]

Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.17.05 - Nests without eggs (but may include birds or other items) 03.17.16 - Heads of birds 26.01.01 - Circles as carriers or as single line borders
Serial Number	73685871
Filing Date	September 23, 1987
Current Basis	44E
Original Filing Basis	44E
Published for Opposition	September 12, 1989
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	1618675
Registration Date	October 23, 1990
Owner	(REGISTRANT) PELIKAN AKTIENGESELLSCHAFT JOINT STOCK CORPORATION FED REP GERMANY PODBIELSKISTRASSE 141 HANNOVER FED REP GERMANY (LAST LISTED OWNER) PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO. KG PARTNERSHIP BY CHANGE OF NAME FROM FED REP GERMANY PODBIELSKISTRASSE 141 30177 HANNOVER FED REP GERMANY
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	JOSEPH R. DREITLER
Prior Registrations	0612843;0781206;1374454;1422829;AND OTHERS
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). PARTIAL SECT 8 (6-YR). SECTION 8(10-YR) 20111108.
Renewal	2ND RENEWAL 20111108
Live/Dead Indicator	LIVE

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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial # : [73685871](#)**Filing Dt:** 09/23/1987**Reg # :** [1618675](#)**Reg. Dt:** 10/23/1990

Registrant: PELIKAN AKTIENGESELLSCHAFT

Mark: PELIKAN

Assignment: 1

Reel/ Frame: [0818/0918](#)**Recorded:** 10/11/1991**Pages:** 6

Conveyance: NUNC PRO TUNC ASSIGNMENT 19890701

Assignor: [PELIKAN AKTIENGESELLSCHAFT](#)**Exec Dt:** 08/14/1991

Assignee: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO. KG](#)**Entity Type:** JOINT STOCK COMPANY

Entity Type: SEE DOCUMENT FOR DETAILS

Citizenship: GERMANY

Citizenship: NONE

Correspondent: FAY, SHARPE, BEALL, ET AL

104 EAST HUME AVENUE

ALEXANDRIA, VA 22301

Assignment: 2

Reel/ Frame: [1517/0786](#)**Recorded:** 10/23/1996**Pages:** 6

Conveyance: CHANGE OF NAME

Assignor: [PELIKAN INTERNATIONAL HANDESGESELLSCHAFT MBH & CO. KG](#)**Exec Dt:** 05/06/1996

Assignee: [PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO. KG](#)**Entity Type:** GENERAL PARTNERSHIP

Entity Type: GENERAL PARTNERSHIP

Citizenship: NONE

Citizenship: NONE

Correspondent: FAY, SHARPE, BEALL, FAGAN, MINICH ET AL.

JOHN R. MATTINGLY

104 EAST HUME AVENUE

ALEXANDRIA, VA 22301

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Word Mark	PELIKAN
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: writing goods and utensils; namely, fountain pens, ballpoint pens, refill pencils[, and markers]. FIRST USE: 19770415. FIRST USE IN COMMERCE: 19770415
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.15.06 - Ducks; Geese; Swans 03.15.24 - Stylized birds and bats 26.01.21 - Circles that are totally or partially shaded.
Serial Number	74179513
Filing Date	June 25, 1991
Current Basis	1A;44E
Original Filing Basis	1A;44E
Published for Opposition	June 9, 1992
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration Number	1711633
Registration Date	September 1, 1992
Owner	(REGISTRANT) PELIKAN INTERNATIONAL Handelsgesellschaft mbH & Co. KG CORPORATION FED REP GERMANY Podbielskistrasse 141 D-3000 Hannover 1 FED REP GERMANY (LAST LISTED OWNER) PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO. KG By change of name from FED REP GERMANY Podbielskistrabe 141 30177 Hannover FED REP GERMANY
Assignment Recorded	ASSIGNMENT RECORDED

Attorney of Record	JOSEPH R. DREITLER
Description of Mark	Color is not claimed as a feature of the mark.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120907.
Renewal	2ND RENEWAL 20120907
Live/Dead Indicator	LIVE

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Trademark Assignment Abstract of Title

Total Assignments: 2

Serial #: [74179513](#)

Filing Dt: 06/25/1991

Reg #: [1711633](#)

Reg. Dt: 09/01/1992

Registrant: PELIKAN INTERNATIONAL Handelsgesellschaf

Mark: PELIKAN

Assignment: 1

Reel/ Frame: [1771/0995](#)

Recorded: 08/17/1998

Pages: 3

Conveyance: CERTIFIED ENGLISH TRANSLATION

Assignor: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO. KG](#)

Exec Dt: 05/06/1996

Entity Type: LTD. PARTNERSHIP

Citizenship: NONE

Assignee: [PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO. KG](#)

Entity Type: LTD. PARTNERSHIP

Citizenship: NONE

PODBIELSKISTRASSE 141

30177 HANNOVER, GERMANY

Correspondent: FAY, SHARPE ET AL

JOHN R. MATTINGLY

104 E. HUME AVE.

ALEXANDRIA VA 22301

Assignment: 2

Reel/ Frame: [1747/0768](#)

Recorded: 06/23/1998

Pages: 3

Conveyance: CERTIFIED ENGLISH TRANSLATION

Assignor: [PELIKAN INTERNATIONAL HANDELSGESELLSCHAFT MBH & CO KG](#)

Exec Dt: 06/06/1997

Entity Type: LIMITED PARTNERSHIP

Citizenship: NONE

Assignee: [PELIKAN VERTRIEBSGESELLSCHAFT MBH & CO KG](#)

Entity Type: LIMITED PARTNERSHIP

Citizenship: NONE

PODBIELSKISTRASSE 141

30177 HANNOVER, GERMANY

Correspondent: FAY, SHARPE, BEALL, FAGAN ET AL

JOHN R. MATTINGLY

104 E. HUME AVE.

ALEXANDRIA, VA 22301

Search Results as of: 05/12/2014 01:18 PM

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Web interface last modified: Jul 8, 2013 v.2.3.4

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Word Mark	PELIKAN
Translations	The English translation of the word "Pelikan" in the mark is "Pelican".
Goods and Services	IC 002. US 006 011 016. G & S: Paints, colorants for use in the manufacture of paint, namely, bronze powder, printing ink, varnishes, fixatives, namely, spray varnish for charcoal drawings, silver paint, lacquers, metals in powder form for artists, toners for photocopiers, whites in the nature of paints IC 016. US 002 005 022 023 029 037 038 050. G & S: Pencils, pencil leads, office requisites, except furniture, artists water color saucers, paint boxes for use in school, pen cases, correcting fluids for the correction of errors in hand-written, typed or printed documents, stands for pens and pencils, adhesive tapes for stationery or household purposes, carbon paper, modeling materials for use by children in play and for hobby and decorative purposes, stationery, paint brushes, rubber erasers, pen nibs for fountain pens, fountain pen nibs of gold, writing instruments, namely, fountain pens, cartridge pens, roller balls, mechanical pencils, ball point pens, fineliners, fiber-tipped pens, writing grips, writing materials namely, writing paper, notebooks, blotting paper, envelopes, sealing wax, stamp pads, endorsing ink, fountain pen ink, Indian ink and duplicating and printing ink, drawing materials, namely, pastels and crayons, wax crayons, charcoal and chalks, paper stumps, drawing blocks
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	03.15.09 - Gulls; Pelicans; Seabirds 03.15.24 - Stylized birds and bats 26.01.21 - Circles that are totally or partially shaded.
Trademark Search Facility	ANI-BIRDS Accurate depiction of Birds INAN Inanimate objects such as lighting,clouds,footprints,atomic configurations,snowflakes,rainbows,flames
Classification Code	SHAPES-CIRCLE Circle figures or designs including semi-circles and incomplete circles SHAPES-MISC Miscellaneous shaped designs
Serial Number	79043237
Filing Date	June 1, 2007
Current Basis	66A
Original Filing Basis	66A
Published for	November 18, 2008

Opposition

Registration Number	3619488
International Registration Number	0831963
Registration Date	May 12, 2009
Owner	(REGISTRANT) Pelikan; Vertriebsgesellschaft mbH & Co. KG KG FED REP GERMANY Werftstrasse 9 30163 Hannover FED REP GERMANY
Prior Registrations	0651749;1367549;1618675;AND OTHERS
Description of Mark	Color is not claimed as a feature of the mark.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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No assignment has been recorded at the USPTO

For Serial Number: 79043237

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